

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Vincent L. Chiang Daniel T. Carraway Richard H. Smeltzer

Application No.:

10/681,878

Filing Date:

10/09/2003

Confirmation No.:

8100

Title:

Production of Syringyl Lignin in Gymnosperms

Group Art Unit:

(As indicated in U.S. Patent No. 6,252,135) 1638/Ousama M-Paiz Zaghmout, Ph.D.

(703) 308-9438/(703)305-7401 (Fax)

RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENT FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Mail Stop Missing Parts Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures dated 02/09/2004 (see enclosed copy), and in accordance with 37 C.F.R. 1.821(e), Applicants desire that the sequence listing in the present case, U.S. Application No. 10/681,878 filed October 9, 2003 (based on U.S. Application 09/796,256, filed 02/28/2001, a divisional application of U.S. 08/991,677, filed 12/17/1997 which issued as U.S. Patent 6,252,135 on 06/26/2001, claiming priority from Provisional Appl. No. 60/033,381 filed 12/16/1996), be identical with that of U. S. Patent 6,252,135.

The sequence listing in the present case does not include any new matter. It is identical to the sequence listing in U.S. Patent 6,252,135.

Application No. 10/681,878

The computer readable form is identical to the written form sequence listing, as was disclosed in U.S. Patent 6,252,135.

Applicant submits this request in lieu of a new CFR.

A copy of the Notice is enclosed with this reply.

In the event this response is not timely filed, Applicants hereby petition for the appropriate extension of time and request that the fee for the extension along with any other fees which may be due with respect to this paper be charged to our Deposit Account No. 12-2355.

Respectfully submitted,

LUEDEKA, NEELY & GRAHAM, P.C.

By:

Mark S. Graham

Registration No. 32,355

MSG:JDG:lal Enclosure

Date: April 8, 2004 P.O. Box 1871 Knoxville, Tennessee 37901 (865) 546-4305

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* * *CERTIFICATE OF MAILING* * *

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on April 8, 2004

Date

Mark S. Graham, Reg. No. 32,355



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APPLICATION NUMBER

FILING OR 371 (c) DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/681,878

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APR 1 2 2004

Vincent L. Chiang

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CONFIRMATION NO. 8100

FORMALITIES LETTER

OC000000011860517

Date Mailed: 02/09/2004

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE **DISCLOSURES**

Filing Date Granted

Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8. 2000) and 1238 OG 145 (September 19, 2000).
- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d). Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase Patentin Software, call (703) 306-2600
- For Patentin Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

Replies should be mailed to:

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A copy of this notice <u>MUST</u> be returned with the reply.

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Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE